

Nisimblat, appointed guardian ad litem for Morgan Thornton, a minor child. All other costs will be borne by the party incurring same.

WHEREFORE, Plaintiffs Tonya Thornton, Michael Thornton, Individually and as Next Friends of Morgan Thornton; Meagan Williams; and Tonya Thornton, as Representative of the Estates of Syndee and Sierra Thornton, Deceased, Defendant Home Depot U.S.A., Inc.; and Third-Party Defendants Cheyenne Industries, Inc. and Catalina Lighting respectfully request this Honorable Court enter an Order to Dismiss all claims filed by the parties in their entirety pursuant to FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1), with prejudice as to the re-filing of same; that Third-Party Defendant Cheyenne Industries, Inc. be ordered to pay all fees and expenses of Oskar Nisimblat, appointed guardian ad litem for Morgan Thornton, a minor child; and that all other costs be borne by the party incurring same.

Respectfully submitted,

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